

When Recorded Mail to:

City of Milpitas  
455 East Calaveras Boulevard  
Milpitas, CA 95035  
Attention: Office of the City Clerk

Record without fee under  
Section 6103 - Government Code  
State of California

10

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILPITAS  
APPROVING INITIAL ACCEPTANCE OF SBWR M-2/M-3  
PROJECT NO. 6093**

WHEREAS, the City of Milpitas has heretofore entered into a Contract with Preston Pipelines, for the SBWR M-2/M-3 project, and the City Engineer of the City of Milpitas has recommended acceptance of said improvement as completed in accordance with plans, specifications and approved change orders and correction lists, and in accordance with the final inspection of said City Engineer.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Milpitas does hereby accept said improvement as completed on this 20<sup>th</sup> day of January, 2004, and does hereby authorize and direct the City Engineer of the City of Milpitas to file a Notice of Completion in accordance with the provisions of Section 3093 of the Civil Code of the State of California, and does hereby authorize and direct the City Engineer to file a Certificate of Completion in accordance with the provisions of Section 4005 of the Government Code of the State of California, if said work was by day's labor or force account. The penal sum of the faithful performance bond securing said improvement may be reduced to the sum of \$ 352,194.71 upon request of principal and surety, said penal sum as reduced to apply from the date of completion and acceptance of said improvements and to extend for the balance of the term of said bond, provided that said term shall not be less than one year.

PASSED AND ADOPTED this 20th day of January, 2004, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

\_\_\_\_\_  
Gail Blalock, City Clerk

\_\_\_\_\_  
Jose S. Esteves, Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
Steven T. Mattas, City Attorney

When Recorded Mail to:

City of Milpitas  
455 East Calaveras Boulevard  
Milpitas, CA 95035  
Attention: City Engineer

Record without fee under  
Section 6103 - Government Code  
State of California

CITY OF MILPITAS

NOTICE OF COMPLETION  
(Civil Code Section 3093)

NOTICE IS HEREBY GIVEN:

1. On or about the 20<sup>th</sup> day of November, 2001, the City of Milpitas, a municipal corporation in the County of Santa Clara, State of California, whose address is City Hall, 455 East Calaveras Boulevard, Milpitas, California, 95035 (as owner) entered into a contract for work of improvement, to wit: Installation of Reclaimed Water Pipeline in Central Milpitas and the area of the Great Mall.
2. A description of the site of which the City is owner for said work of improvement is City of Milpitas, Santa Clara County, California, more particularly described as: SBWR M-2/M-3
3. The nature and interest or estate of the City as owner of said site is in fee: Cortez Street, Coelho Street, Roger Street, Washington Street, Corinthia Drive, Jacklin Road, North Hillview Drive, Escuela Parkway, Angus Drive, Santa Rita Drive, Paseo Refugio, Hillview Drive, Comet Drive, Great Mall Drive, Fairlane Drive, McCandless Drive, and Centre Point Drive in the City of Milpitas.
4. The name and address of the original contractor is: Preston Pipelines, Inc., 133 Bothelo Avenue, Milpitas, CA 95035
5. A general statement of the kind of work done or materials furnished to the City is as follows: Installation of 6", 8", 10", 12" and 20" recycled pipeline, services, valves and pipe bores at various location in the City.
6. The name of the sureties upon the bond of the Contractor for said work of improvement is: St. Paul Surety, San Francisco Branch Office, 100 California St Ste 300, San Francisco, CA 94111.
7. Said work of improvement was accepted by the Milpitas City Council as completed on the 20th day of January, 2004.

\*\*\*\*\*

I, the undersigned, declare that I am the City Engineer of the City of Milpitas and am authorized to execute the foregoing Notice of Completion and this Verification thereof. I have read the foregoing Notice of Completion. I declare under penalty of perjury that the foregoing Notice of Completion is true and correct. Executed on the 20 day of January, 2004 at Milpitas, California.

---

David M. McNeely, City Engineer  
City of Milpitas

---

NOTE: RECORD WITHIN 10 DAYS OF ACCEPTANCE WITH COUNTY RECORDER OF SANTA CLARA COUNTY

